

**Remarks**

Applicant responds to the Office Action of December 21, 2005. Claims 27-29 and 32-52 are pending in the application.

**Objection to Specification**

The Examiner has objected to the specification, specifically, to the title and the abstract, on the basis that the previous amendment deleted relevant features. Applicant has amended the title and the abstract to reinstate the original title and abstract.

The Examiner has also objected to the previous amendment to paragraph [0035]. Applicant has amended paragraph [0035] to reinstate the original paragraph.

**Claim Rejection – 35 U.S.C. §101**

Claims 27-29 and 32-52 have been rejected under 35 U.S.C. §101. The Examiner contends that the disclosed invention is inoperative and therefore lack utility. It is the Examiner's position that since known pressure sensitive adhesives are soft viscoelastic materials (i.e., not permanently deformable) which recover their original shape upon a short contact period with pressure, in the absence of a disclosure to explain how a permanent recessed structure is achieved in a soft adhesive material, the disclosure appears to be inoperable. The Examiner has requested clarification.

Applicant has submitted the declaration of Mr. Michael Hannington, the inventor of the subject matter of this application. In his declaration, Mr. Hannington explains how a permanent recessed structure is achieved in a pressure sensitive adhesive. Specifically, a pattern of UV ink was simultaneously printed and embedded into an acrylic pressure sensitive adhesive coated onto a 3mil thick clear vinyl film. The ink pattern was embedded into the adhesive layer such that the ink did not protrude from the surface of the adhesive layer and ink coated channels were created in the adhesive layer. For comparison purposes, an acrylic pressure sensitive adhesive coated onto a 3 mil thick clear vinyl film was embossed with the same pattern, with the exception that no ink forms were embedded into adhesive layer. A release liner having a smooth surface was laminated to the adhesive surface of the vinyl film.

The release liner was removed and the vinyl film with the adhesive layer having a pattern of embedded printed forms therein was laminated to a glass plate. Photographs taken through

the glass plate of the laminated film (Exhibit 2A) clearly show that the channels created by the embedded print remain intact. Furthermore, the photographs show minimal air entrapment as compared to the embossed adhesive surface having no embedded print (Exhibit 2B). Thus the invention claimed by Applicant is operable and has demonstrated utility. Applicant respectfully requests withdrawal of the rejection of claims 27-29 and 32-52 under 35 U.S.C. §101.

Claim Rejections - 35 U.S.C. § 112

Claim 28 has been rejected under 35 U.S.C. §112, first paragraph, as being based on a disclosure that is not enabling. The Examiner contends that the specification, while being enabling for the thickness of non-adhesive material forms having an average thickness of from 0.3  $\mu$  to about 100  $\mu$ , etc., does not reasonably provide enablement for a thin coating of 30 *micrometers* (0.03 $\mu$ ). Applicant assumes the Examiner intended to state *nanometers* rather than micrometers, as 30 nanometers is equivalent to 0.03 microns.

Claim 28 has been amended to recite that the average thickness is about 0.3 microns to about 100 microns. In view of the amendment to claim 28, it is respectfully submitted that the rejection of claim 28 is moot.

Claims 27, 29 and 32-52 have been rejected under 35 U.S.C. §112, first paragraph, as being based on a disclosure that is not enabling. The Examiner contends that a pattern of non-adhesive material providing a path for air egress from the adhesive article is "critical or essential to the practice of the invention, but not included in the claim(s) is not enabled by the disclosure"

Claim 27 has been amended to recite that the pattern of non-adhesive material forms provides a path for air egress from the adhesive article. In view of the amendment to claim 28, Applicant respectfully requests withdrawal of the rejection of claims 27, 29 and 32-52 under 35 U.S.C. §112.

Conclusion

In view of the foregoing amendments and remarks, Applicant respectfully requests a timely issuance of a notice of allowance.

In the event any fee or additional fee is due in connection with the filing of this paper, the Commissioner is authorized to charge those fees to our Deposit Account No. 18-0988 (Docket No. AVERP2850US).

Respectfully submitted,

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